

SENTENCE REVIEW DIVISION OF THE SUPREME COURT OF MONTANA  
Montana Second Judicial District Court, County of Silver Bow

STATE OF MONTANA,	)	
	)	
Plaintiff,	)	CAUSE NO. DC-17-215
	)	
-vs-	)	
	)	DECISION
CASSANDRA ASHLEY LARUE,	)	
	)	
Defendant.	)	

On January 10, 2019, the District Court sentenced Defendant to the Montana Women's Prison for three (3) years, for the offense of Deceptive Practices-Common Scheme, a felony. The Court ordered the sentence to run consecutively to the sentence imposed in Cascade County Cause No. DC-17-521, and to the sentence imposed in Silver Bow County Cause No. DC-17-230. The Court further ordered Defendant to pay restitution in the amount of \$480.00 for the benefit of Maureen Driscoll. The Court further ordered that Defendant be afforded the opportunity to participate in any chemical dependency programs during her incarceration. Defendant received credit for 134 days of time served.

On April 5, 2019, Defendant's Application for review of that sentence was heard by the Sentence Review Division of the Montana Supreme Court (hereafter "the Division"). Defendant was present and was represented by Brent Getty of the Office of the State Public Defender. The State was not represented.

Before hearing the Application, the Defendant was advised that the Division has the authority not only to reduce the sentence or affirm it, but also increase it. The Defendant was further advised that there is no appeal from a decision of the Division. The Defendant acknowledged that she understood this and stated that she wished to proceed.

Rule 12, Rules of the Sentence Review Division of the Supreme Court of Montana, provides that, "The sentence imposed by the District Court is presumed correct. The sentence shall not be reduced or increased unless it is clearly inadequate or clearly excessive." (Section 46-18-904(3), MCA).

It is the unanimous decision of the Division that the sentence imposed is clearly excessive, and the sentence should be **MODIFIED**. The Division finds that Defendant's sentence in this matter, Silver Bow County DC-17-215, should run concurrently with Cascade County Cause No. DC-17-251. **Therefore, the sentence is modified to run concurrently with Cascade County Cause No. DC-17-521.** The remaining terms and conditions of the sentence imposed are not clearly inadequate or clearly excessive and are affirmed.

Done in open Court this 5<sup>th</sup> day of April, 2019.

DATED this 25<sup>th</sup> day of April, 2019.

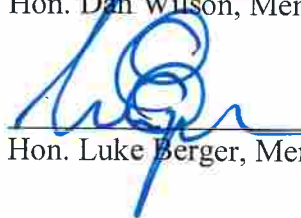
SENTENCE REVIEW DIVISION



Hon. Brenda Gilbert, Chairperson



Hon. Dan Wilson, Member



Hon. Luke Berger, Member

Copies mailed this 7<sup>th</sup> day  
of May, 2019, to:

Clerk of District Court (Original)  
Cassandra Ashley LaRue #2037278, Defendant (2)  
Hon. Kurt Krueger  
Brent Getty, Defense Counsel  
Kelli Johnson Fivey, Esq.  
Board of Pardons and Parole  
MWP - Records Dept.



Georgia Lovelady, Judicial Assistant  
Sentence Review Division